

EXHIBIT 2

1 DAVID H. KRAMER, State Bar No. 168452
2 AMIT Q. GRESSEL, State Bar No. 307663
3 WILSON SONSINI GOODRICH & ROSATI
4 Professional Corporation
5 650 Page Mill Road
6 Palo Alto, CA 94304-1050
7 Telephone: (650) 493-9300
8 Facsimile: (650) 565-5100
9 Email: dkramer@wsgr.com
10 agressel@wsgr.com

11
12 BRADLEY T. TENNIS, State Bar No. 281206
13 WILSON SONSINI GOODRICH & ROSATI
14 Professional Corporation
15 1700 K St. NW, Fifth Floor
16 Washington DC, 20006
17 Telephone: (202) 973-8825
18 Email: btannis@wsgr.com

19 Attorneys for Non-Party
20 GOOGLE LLC

21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IN RE: NATIONAL FOOTBALL
LEAGUE'S SUNDAY TICKET
ANTITRUST LITIGATION

CASE NO.: 2:15-ML-02668-PSG (JEMx)

**NON-PARTY GOOGLE LLC'S
OBJECTIONS AND RESPONSES TO
SUBPOENA FOR PRODUCTION OF
DOCUMENTS**

THIS DOCUMENT RELATES TO ALL
ACTIONS.

Production Date: May 1, 2023

Non-Party Google LLC hereby responds to Plaintiff's subpoena as follows:

GENERAL OBJECTIONS

In addition to Google's responses and objections to the enumerated document requests below, Google makes the following objections to the Subpoena ("General Responses and Objections"). The below objections are also incorporated in the responses and objections to the enumerated document requests stated below.

1 Google objects to the Subpoena on the grounds that it was improperly served without leave
 2 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 3 have not sought leave of Court to serve discovery on Google after the discovery cut-off. As a
 4 result, this Subpoena is improper.

5 1. Google objects to the Subpoena on the grounds that it is unduly burdensome to the
 6 extent its Requests are not reasonably tailored in scope.

7 2. Google objects to the Subpoena on the grounds that it calls for documents or
 8 information for an unspecified or overly broad period of time.

9 3. Google objects to the Subpoena on the grounds that it seeks to impose an undue
 10 burden on Google, which is not a party to the underlying action. Google further objects to the
 11 Subpoena to the extent it seeks documents or information that are in the possession, custody, or
 12 control of a party to the underlying action or equally available from another source (including
 13 public sources) that is more convenient, less burdensome, or less expensive than requiring Google
 14 to produce such documents or information. As a disinterested non-party, Google should not be
 15 subjected to the burden of searching for and producing such documents or information unless and
 16 until all reasonable means of obtaining that information directly from such other sources have been
 17 exhausted. To the extent Google agrees to produce any documents, Google reserves its right to
 18 request Plaintiffs to pay for the cost of Google's production of these documents.

19 4. Google objects to the Subpoena to the extent it seeks documents or information that
 20 are not proportionate to the needs of the case or not relevant to any party's claims or defenses.
 21 Google reserves the right to redact information concerning irrelevant matters. This Subpoena
 22 appears to seek information about an agreement not at issue in the underlying litigation. To the
 23 extent there is some relevance to the underlying litigation, these requests are grossly
 24 disproportionate to the needs of the case, for among other reasons, the fact that the case has already
 25 proceeded past expert discovery.

26 5. Google objects to the Subpoena to the extent it fails to provide information
 27 sufficient to enable Google to conduct a reasonable search for documents and information
 28 responsive to the Subpoena, if any. Without such information, the Subpoena would subject Google

1 to an unreasonable burden of conducting an overbroad inquiry and search for responsive
2 documents or information.

3 6. Google objects to the Subpoena to the extent it purports to require Google to
4 perform anything more than a reasonable and diligent search for documents (including electronic
5 documents) from reasonably accessible sources (including electronic sources).

6 7. Google objects to the Subpoena to the extent it seeks electronically stored
7 information that is not reasonably accessible to Google.

8 8. Google objects to the Subpoena to the extent that it is vague, ambiguous, or
9 unlimited in time or scope.

10 9. Google objects to the Subpoena to the extent it seeks information protected by any
11 privilege, including the attorney-client privilege, work product immunity doctrine, common
12 interest privilege, or any other applicable privilege, immunity, or restriction on discovery. Any
13 disclosure of privileged information by Google in response to the Subpoena shall not be deemed a
14 waiver of any such privilege, and Google expressly requests that any party that receives any such
15 privileged information produced by Google immediately returns and does not make use of any
16 produced privileged information.

17 10. Google objects to the Subpoena to the extent it seeks confidential financial,
18 proprietary, or trade secret information belonging to Google or a third party, or any other
19 information subject to a confidentiality agreement, protective order, or legal duty of non-disclosure
20 (“Confidential Information”). Google will only produce information it deems to be Confidential
21 Information pursuant to a confidentiality agreement or protective order that it believes is suitable
22 for the protection of that Confidential Information. Even if an adequate protective order has been
23 entered in the underlying action by the presiding court, Google will only provide Confidential
24 Information to the extent Google can do so consistent with its legal, contractual, and other
25 confidentiality obligations. Google reserves the right to redact Confidential Information belonging
26 to Google or third parties.

27

28

11. Google objects to the Subpoena's definitions and instructions to the extent they purport to impose obligations on Google in excess of any applicable federal or state codes of civil procedure, rules of evidence, or any other applicable law.

12. Google objects to the Subpoena to the extent it seeks documents or information that is not currently in the possession, custody, or control of Google.

13. Google objects to the Subpoena to the extent it seeks information relating to the knowledge, recollections, or mental impressions of former employees who are no longer employed by Google, or any other information that is no longer in the possession, custody, or control of Google.

14. Google objects to the Subpoena to the extent that it requires the production of more documents than is sufficient to show or identify the information sought by each request therein. Google objects to the purported requirement that Google produce “[a]ll Documents” and/or “[a]ll Communications” in response to certain requests on the grounds that this phrasing renders those requests overbroad, unduly burdensome, and not proportional to the needs of the case.

15. Google reserves the right to assert additional objections, or to supplement its objections and responses as appropriate, particularly if any additional information regarding the Subpoena or the underlying claims at issue is provided.

OBJECTIONS TO DEFINITIONS

16. Google objects to Definition No. 6 of “Communication” on the grounds that it renders the Subpoena vague, ambiguous, overbroad, and unduly burdensome as it seeks information that is not relevant to any party’s claims or defenses or proportional to the needs of this case, including to the extent it includes oral or other communications that are not within Google’s possession, custody, or control. Among other issues Google objects to the phrase “by signs, signals, or code” as overbroad and ambiguous, and the requirement to produce communications related to “face-to-face meetings” as such a request is overbroad and impossible to comply with as drafted.

17. Google objects to Definition No. 7 of “Concerning” on the grounds that it renders the Subpoena vague, ambiguous, overbroad, and unduly burdensome as it seeks information that

1 is not relevant to any party's claims or defenses or proportional to the needs of this case. Google
2 objects to the definitions to the extent they impose any obligations exceeding or differing from the
3 requirements of the Federal Rules of Civil Procedure.

4 18. Google objects to Definition No. 9 of "Document" and "Documents" on the
5 grounds that it is vague, ambiguous, overbroad, unduly burdensome, and renders the requests in
6 the Subpoena vague, ambiguous, overbroad, unduly burdensome and not relevant to any party's
7 claims or defenses or proportional to the needs of the case. Google objects to the definitions to
8 the extent they impose any obligations exceeding or differing from the requirements of the Federal
9 Rules of Civil Procedure. To the extent Google agrees to produce information, it will produce
10 documents and other materials, including electronically stored information, in a manner consistent
11 with the Federal Rules of Civil Procedure.

12 19. Google objects to Definition No. 16 of "NFL Sunday Ticket" on the grounds that
13 it renders the Subpoena vague, ambiguous, overbroad, and unduly burdensome. As defined, the
14 term does not explain whether it is a package offered by DirecTV, which Google understands to
15 be the subject of this litigation, or a different package of games, offered or contemplated by other
16 parties. Google also objects to this Definition to the extent it purports to seek documents from
17 outside Google's possession, custody, or control or requires Google to produce documents or
18 information that is protected by any privilege, including the attorney-client privilege, work product
19 immunity doctrine, common interest privilege, or any other applicable privilege, immunity, or
20 restriction on discovery.

21 20. Google objects to Definition No. 17 of "Person" on the grounds that it renders the
22 Subpoena vague, ambiguous, overbroad, and unduly burdensome as it seeks information that is
23 not relevant to any party's claims or defenses or proportional to the needs of this case. Google
24 also objects to this definition as it renders the subpoena so overbroad that it is impossible to
25 respond to. Google also objects to this Definition to the extent it purports to seek documents from
26 outside Google's possession, custody, or control or requires Google to produce documents or
27 information that is protected by any privilege, including the attorney-client privilege, work product
28

1 immunity doctrine, common interest privilege, or any other applicable privilege, immunity, or
2 restriction on discovery.

3 21. Google objects to Definition No. 21 of “You,” “Your,” or “Your Company,” on the
4 grounds that it renders the Subpoena vague, ambiguous, overbroad, and not relevant to any party’s
5 claims or defenses or proportional to the needs of the case. Google further objects to the Definition
6 No. 21 to the extent it seeks information not currently in the possession, custody, or control of
7 Google. Google responds on behalf of itself (Google LLC) and YouTube, LLC. Google does not
8 respond on behalf of any other subsidiary or affiliate of Google or YouTube, or any other person
9 or entity. Google further objects to Definition No. 21 on the grounds that the definition includes
10 Google’s “attorneys” and requires Google to provide a legal conclusion or to produce documents
11 or information that is protected by any privilege, including the attorney-client privilege, work
12 product immunity doctrine, common interest privilege, or any other applicable privilege,
13 immunity, or restriction on discovery.

OBJECTIONS TO INSTRUCTIONS

15 22. Google objects to Instruction No. 3 on the grounds that it is burdensome and
16 overbroad because it demands that Google collect and produce documents from parents, affiliates,
17 subsidiaries, employees, directors, officers, or agents without limitation or regard for what
18 documents are responsive and reasonably called for by the litigation.

19 23. Google objects to Instruction No. 10 on the grounds that it is burdensome and
20 demands that Google produce documents in a specific form at Google's expense. To the extent
21 Google agrees to produce any documents, Google reserves its right to request Plaintiffs to pay for
22 the cost of Google's production of these documents.

23 24. Google further objects to Instruction 9 to the extent it requires Google to produce
24 documents subject to a protective order that does not properly protect Google's confidential
25 information.

26 25. Google further objects to Instruction 10 to the extent it requires Google to produce
27 documents in a form beyond what is called for by the Federal Rules of Civil Procedure.

SPECIFIC RESPONSES AND OBJECTIONS

In addition to the foregoing General Responses and Objections, set forth below are Google's responses and further objections to the individual requests set forth in the Subpoena. Each General Response and Objection is incorporated into each of the responses to the individual document request. Without waiving any of the foregoing General Responses and Objections, Google responds further as follows:

REQUEST NO. 1:

All Documents constituting, memorializing, or reflecting any Communications between or among You and any person affiliated with the NFL or any Club concerning NFL Sunday Ticket.

RESPONSE TO REQUEST NO. 1:

Google objects to the Subpoena on the grounds that it was improperly served without leave of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-off and as a result service of this Subpoena is improper and has no legal effect.

Google objects to this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable effort and expense by a non-party that is disproportionate to the needs of the case, in part because this Request purports to require Google to produce “[a]ll Documents” and “all other Documents” without regard to their import or relevance over a relevant time period. Google also objects to the reliance on the overbroad terms “Communications” and “affiliated” as rendering this Request overbroad, unduly burdensome, and disproportionate to the needs of the case.

Google objects to this Request on the ground that it seeks information that is not relevant to any party's claims or defenses in the underlying litigation, particularly because Google understands this litigation to involve claims about DirecTV's Sunday Ticket agreement, not any agreement Google or YouTube may have with the NFL or the Clubs.

Google further objects on the grounds that this request covers communications with the NFL or the Clubs and therefore seeks documents or information that is in the possession, custody, or control of a party to the underlying action.

1 Google further objects to this request to the extent it seeks disclosure of confidential
 2 financial or commercial information, proprietary information, trade secrets, research and
 3 development, or any other competitively sensitive information.

4 Google further objects to the extent the request seeks information protected by any
 5 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 6 privilege, immunity, or restriction on discovery.

7 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
 8 to pay for the costs of any production of documents by Google.

9 **REQUEST NO. 2:**

10 All Documents constituting, memorializing, or reflecting any Communications between or
 11 among You and any person affiliated with Amazon, Apple, CBS, Fox, Goldman Sachs, ESPN, NBC,
 12 or Roku concerning NFL Sunday Ticket or the rights to distribute NFL telecasts.

13 **RESPONSE TO REQUEST NO. 2:**

14 Google objects to the Subpoena on the grounds that it was improperly served without leave
 15 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 16 have not sought leave of Court to serve discovery on Google after the discovery cut-off and as a
 17 result service of this Subpoena is improper and has no legal effect.

18 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 19 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 20 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
 21 “all other Documents” without regard to their relevance. Google also objects to the reliance on
 22 the overbroad terms “Communications” and “affiliated” as rendering this Request overbroad,
 23 unduly burdensome, and disproportionate to the needs of the case.

24 Google objects to this Request on the ground that it seeks information related to Google's
 25 relationship with other non-parties to this litigation, which is not relevant to any party's claims or
 26 defenses in the underlying litigation.

27 Google objects to this Request on the ground that it seeks information that is not relevant
 28 to any party's claims or defenses in the underlying litigation. Google understands this litigation

1 to involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
 2 YouTube may have with the NFL or the Clubs. There are no claims related to Google or YouTube,
 3 nor are there claims related to Amazon, Apple, CBS, Fox, Goldman Sachs, ESPN, NBC, or Roku.
 4 None of the information sought is relevant to any party's claims or defenses in the underlying
 5 litigation.

6 Google further objects to this request to the extent it seeks disclosure of confidential
 7 financial or commercial information, proprietary information, trade secrets, research and
 8 development, or any other competitively sensitive information.

9 Google further objects to the extent the request seeks information protected by any
 10 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 11 privilege, immunity, or restriction on discovery.

12 Google further objects that this request is impermissibly vague and overbroad because it
 13 purports to seek documents related not just to the DirectTV agreement at issue, but the rights to
 14 any NFL telecasts.

15 Google is willing to meet and confer about a properly narrowed request and Plaintiffs' plan
 16 to pay for the costs of any production of documents by Google.

17 **REQUEST NO. 3:**

18 All Documents constituting, memorializing, or reflecting the actual or proposed terms of
 19 the December 21, 2022 Agreement between You and the NFL concerning NFL Sunday Ticket.

20 **RESPONSE TO REQUEST NO. 3:**

21 Google objects to the Subpoena on the grounds that it was improperly served without leave
 22 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 23 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 24 off and as a result service of this Subpoena is improper and has no legal effect.

25 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 26 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 27 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and
 28 "all other Documents" without regard to their relevance.

1 Google objects to this Request on the ground that it seeks information that is not relevant
 2 to any party's claims or defenses in the underlying litigation. Google understands this litigation to
 3 involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
 4 YouTube may have with the NFL or the Clubs.

5 Google further objects on the grounds that this request seeks information constituting,
 6 memorializing, or reflecting the terms of an agreement to which the NFL is a signatory. This
 7 request therefore seeks information that is in the possession, custody, or control of a party to the
 8 underlying action.

9 Google further objects to this request to the extent it seeks disclosure of confidential
 10 financial or commercial information, proprietary information, trade secrets, research and
 11 development, or any other competitively sensitive information.

12 Google further objects to the extent the request seeks information protected by any
 13 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 14 privilege, immunity, or restriction on discovery.

15 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
 16 to pay for the costs of any production of documents by Google.

17 **REQUEST NO. 4:**

18 All Documents reflecting or concerning any initiatives, discussions, or proposals to create
 19 a direct-to-consumer sports offering involving the NFL, including but not limited to the initiative
 20 referred to as "Project Hoya."

21 **RESPONSE TO REQUEST NO. 4:**

22 Google objects to the Subpoena on the grounds that it was improperly served without leave
 23 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 24 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 25 off and as a result service of this Subpoena is improper and has no legal effect.

26 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 27 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 28 the case, in part because this Request purports to require Google to produce "[a]ll Documents" and

1 “all other Documents” without regard to their relevance. Google also objects to the reliance on
 2 the overbroad and vague terms “concerning,” “initiatives,” “discussions,” “proposals,” “direct-to-
 3 consumer,” and “sports offering” as rendering this Request overbroad, unduly burdensome, and
 4 disproportionate to the needs of the case.

5 Google also objects to the undefined term “Project Hoya” as rendering this Request
 6 overbroad, vague, and ambiguous.

7 Google objects to this Request on the ground that it seeks information that is not relevant
 8 to any party’s claims or defenses in the underlying litigation.

9 Google further objects on the grounds that this request seeks communications between
 10 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 11 possession, custody, or control of a party to the underlying action.

12 Google objects to this Request on the ground that it seeks information related to Google’s
 13 relationship with other non-parties to this litigation, which is not relevant to any party’s claims or
 14 defenses in the underlying litigation.

15 Google further objects to this request to the extent it seeks disclosure of confidential
 16 financial or commercial information, proprietary information, trade secrets, research and
 17 development, or any other competitively sensitive information.

18 Google further objects to the extent the request seeks information protected by any
 19 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 20 privilege, immunity, or restriction on discovery.

21 Google is willing to meet and confer about a properly narrowed request and Plaintiff’s plan
 22 to pay for the costs of any production of documents by Google.

23 **REQUEST NO. 5:**

24 All Documents reflecting or concerning the actual or proposed package characteristics of
 25 NFL Sunday Ticket.

26 **RESPONSE TO REQUEST NO. 5:**

27 Google objects to the Subpoena on the grounds that it was improperly served without leave
 28 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs

1 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 2 off and as a result service of this Subpoena is improper and has no legal effect. Google objects to
 3 this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable
 4 effort and expense by a non-party that is disproportionate to the needs of the case, in part because
 5 this Request purports to require Google to produce “[a]ll Documents” and “all other Documents”
 6 without regard to their relevance. Google also objects to the reliance on the overbroad term
 7 “reflecting,” “concerning,” “actual,” “proposed,” “package,” and “characteristics” as rendering
 8 this Request overbroad, unduly burdensome, and disproportionate to the needs of the case.

9 Google objects to this request as impermissibly vague and overbroad as it is not clear what
 10 “NFL Sunday Ticket” means, and whether this request seeks information related to the package
 11 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
 12 package of games, offered or contemplated by other parties.

13 Google objects to this Request on the ground that it seeks information that is not relevant
 14 to any party’s claims or defenses in the underlying litigation. Google understands this litigation
 15 to involve claims about DirecTV’s Sunday Ticket agreement, not any agreement Google or
 16 YouTube may have with the NFL or the Clubs.

17 Google further objects on the grounds that this request covers communications between
 18 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 19 possession, custody, or control of a party to the underlying action.

20 Google further objects to this request to the extent it seeks disclosure of confidential
 21 financial or commercial information, proprietary information, trade secrets, research and
 22 development, or any other competitively sensitive information.

23 Google further objects to the extent the request seeks information protected by any
 24 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 25 privilege, immunity, or restriction on discovery.

26 Google is willing to meet and confer about a properly narrowed request and Plaintiff’s plan
 27 to pay for the costs of any production of documents by Google.

28

1 **REQUEST NO. 6:**

2 All Documents reflecting or concerning the actual, estimated, or projected number of
 3 commercial or residential subscribers to NFL Sunday Ticket.

4 **RESPONSE TO REQUEST NO. 6:**

5 Google objects to the Subpoena on the grounds that it was improperly served without leave
 6 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 7 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 8 off and as a result service of this Subpoena is improper and has no legal effect. Google objects to
 9 this Request as overbroad, unduly burdensome and on the ground that it requires unreasonable
 10 effort and expense by a non-party that is disproportionate to the needs of the case, in part because
 11 this Request purports to require Google to produce “[a]ll Documents” and “all other Documents”
 12 without regard to their relevance. Google also objects to the reliance on the overbroad term
 13 “reflecting,” “concerning,” “actual,” “estimated,” and “projected” as rendering this Request
 14 overbroad, unduly burdensome, and disproportionate to the needs of the case.

15 Google objects to this Request on the ground that it seeks information that is not relevant
 16 to any party’s claims or defenses in the underlying litigation. Google understands this litigation
 17 to involve claims about DirecTV’s Sunday Ticket agreement, not any agreements Google or
 18 YouTube may have with the NFL or the Clubs.

19 Google objects to this request as impermissibly vague and overbroad as it is not clear what
 20 “NFL Sunday Ticket” means, and whether this request seeks information related to the package
 21 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
 22 package of games, offered or contemplated by other parties.

23 Google further objects on the grounds that this request covers communications between
 24 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 25 possession, custody, or control of a party to the underlying action.

26 Google further objects to this request to the extent it seeks disclosure of confidential
 27 financial or commercial information, proprietary information, trade secrets, research and
 28 development, or any other competitively sensitive information.

1 Google further objects to the extent the request seeks information protected by any
 2 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 3 privilege, immunity, or restriction on discovery.

4 Google is willing to meet and confer about a properly narrowed request and Plaintiffs' plan
 5 to pay for the costs of any production of documents by Google.

6 **REQUEST NO. 7:**

7 All Documents reflecting or concerning the retail price of NFL Sunday Ticket for
 8 commercial or residential subscribers.

9 **RESPONSE TO REQUEST NO. 7:**

10 Google objects to the Subpoena on the grounds that it was improperly served without leave
 11 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 12 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 13 off and as a result service of this Subpoena is improper and has no legal effect.

14 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 15 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 16 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
 17 “all other Documents” without regard to their relevance. Google also objects to the reliance on the
 18 overbroad term “reflecting,” “concerning,” and “retail” as rendering this Request overbroad,
 19 unduly burdensome, and disproportionate to the needs of the case.

20 Google objects to this Request on the ground that it seeks information that is not relevant
 21 to any party's claims or defenses in the underlying litigation. Google understands this litigation
 22 to involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
 23 YouTube may have with the NFL or the Clubs.

24 Google further objects on the grounds that this request covers communications between
 25 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 26 possession, custody, or control of a party to the underlying action.

27 Google objects to this request as impermissibly vague and overbroad as it is not clear what
 28 “NFL Sunday Ticket” means, and whether this request seeks information related to the package

1 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
 2 package of games, offered or contemplated by other parties.

3 Google further objects to this request to the extent it seeks disclosure of confidential
 4 financial or commercial information, proprietary information, trade secrets, research and
 5 development, or any other competitively sensitive information.

6 Google further objects to the extent the request seeks information protected by any
 7 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 8 privilege, immunity, or restriction on discovery.

9 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
 10 to pay for the costs of any production of documents by Google.

11 **REQUEST NO. 8:**

12 All Documents reflecting or concerning agreements between the NFL and any other
 13 broadcaster of NFL football games (including but not limited to CBS and Fox).

14 **RESPONSE TO REQUEST NO. 8:**

15 Google objects to the Subpoena on the grounds that it was improperly served without leave
 16 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 17 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 18 off and as a result service of this Subpoena is improper and has no legal effect.

19 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 20 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 21 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
 22 “all other Documents” without regard to their import or relevance over a relevant time period.
 23 Google also objects to the reliance on the overbroad term “reflecting,” “concerning,” and
 24 “broadcaster” as rendering this Request overbroad, unduly burdensome, and disproportionate to
 25 the needs of the case.

26 Google objects to this Request on the ground that it seeks information related to Google's
 27 relationship with other non-parties to this litigation, which is not relevant to any party's claims or
 28 defenses in the underlying litigation.

1 Google objects to this Request on the ground that it seeks information that is not relevant
 2 to any party's claims or defenses in the underlying litigation. Google's views of the agreement
 3 between the NFL and broadcasters, to which Google is not a party, is not relevant to any party's
 4 claims or defenses.

5 Google further objects on the grounds that this request covers communications between
 6 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 7 possession, custody, or control of a party to the underlying action.

8 Google further objects to this request to the extent it seeks disclosure of confidential
 9 financial or commercial information, proprietary information, trade secrets, research and
 10 development, or any other competitively sensitive information.

11 Google further objects to the extent the request seeks information protected by any
 12 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 13 privilege, immunity, or restriction on discovery.

14 Google declines to produce any documents responsive to this request.

15 **REQUEST NO. 9:**

16 All Documents constituting, reflecting, or concerning reports and studies prepared by or
 17 for You, or received by You, regarding the following subject matters:

- 18 a. NFL Sunday Ticket, and the proposed creation of any similar package for
 19 televising and/or streaming out-of-market NFL games;
- 20 b. The estimated or actual economic value of NFL Sunday Ticket;
- 21 c. The estimated or actual economic value of being an exclusive or non-
 22 exclusive distributor for any or all out-of-market NFL football games.

23 **RESPONSE TO REQUEST NO. 9:**

24 Google objects to the Subpoena on the grounds that it was improperly served without leave
 25 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 26 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 27 off and as a result service of this Subpoena is improper and has no legal effect.

28

1 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 2 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 3 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
 4 “all other Documents” without regard to their relevance. Google also objects to the reliance on
 5 the overbroad term “constituting,” “reflecting,” “concerning,” “studies,” “prepared,” “received,”
 6 “regarding,” “proposed creation,” “economic value,” “exclusive” “non-exclusive,” and “out-of-
 7 market” as rendering this Request overbroad, unduly burdensome, and disproportionate to the
 8 needs of the case.

9 Google objects to this Request as it improperly uses subparts and is actually multiple
 10 requests for production.

11 Google objects to this Request to the extent that it seeks information related to Google’s
 12 relationship with other non-parties to this litigation, which is not relevant to any party’s claims or
 13 defenses in the underlying litigation.

14 Google objects to this request as impermissibly vague and overbroad as it is not clear what
 15 “NFL Sunday Ticket” means, and whether this request seeks information related to the package
 16 offered by DirecTV, which Google understands to be the subject of this litigation, or a different
 17 package of games, offered or contemplated by other parties.

18 Google objects to this Request on the ground that it seeks information that is not relevant
 19 to any party’s claims or defenses in the underlying litigation. Google understands this litigation
 20 to involve claims about DirecTV’s Sunday Ticket agreement, not any agreements Google or
 21 YouTube may have with the NFL or the Clubs. This request requires Google to act as an
 22 uncompensated expert, which Google declines to do.

23 Google further objects on the grounds that this request covers communications between
 24 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 25 possession, custody, or control of a party to the underlying action.

26 Google further objects to this request to the extent it seeks disclosure of confidential
 27 financial or commercial information, proprietary information, trade secrets, research and
 28 development, or any other competitively sensitive information.

1 Google further objects to the extent the request seeks information protected by any
 2 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 3 privilege, immunity, or restriction on discovery.

4 Google is willing to meet and confer about a properly narrowed request and Plaintiff's plan
 5 to pay for the costs of any production of documents by Google.

6 **REQUEST NO. 10:**

7 All documents constituting or reflecting any communications, reports, or analyses
 8 concerning compliance with the antitrust or competition laws of any State, the United States, and
 9 any foreign country, concerning arrangements for telecasting NFL football games, including any
 10 analysis of whether the exclusivity terms of NFL Sunday Ticket may violate the Sherman Act, and
 11 any requests for indemnification that encompass or relate to claims brought under the antitrust or
 12 competition laws.

13 **RESPONSE TO REQUEST NO. 10:**

14 Google objects to the Subpoena on the grounds that it was improperly served without leave
 15 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 16 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 17 off and as a result service of this Subpoena is improper and has no legal effect.

18 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 19 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 20 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
 21 “all other Documents” without regard to their import or relevance over a relevant time period.
 22 Google also objects to the reliance on the overbroad term “constituting,” “reflecting,”
 23 “communications,” “reports,” “analyses,” “compliance,” “antitrust,” “competition,” “exclusivity,”
 24 “indemnification” “encompass,” and “relate to” as rendering this Request overbroad, unduly
 25 burdensome, and disproportionate to the needs of the case.

26 Google objects to this Request to the extent that it seeks information related to Google's
 27 relationship with other non-parties to this litigation, which is not relevant to any party's claims or
 28 defenses in the underlying litigation.

1 Google objects to this Request on the ground that it seeks information that is not relevant
 2 to any party's claims or defenses in the underlying litigation. Google understands this litigation
 3 to involve claims about DirecTV's Sunday Ticket agreement, not any agreements Google or
 4 YouTube may have with the NFL or the Clubs.

5 Google objects to this Request on the ground that it seeks information that is not relevant
 6 to any party's claims or defenses in the underlying litigation.

7 Google further objects on the grounds that this request covers communications between
 8 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
 9 possession, custody, or control of a party to the underlying action.

10 Google further objects to this request to the extent it seeks disclosure of confidential
 11 financial or commercial information, proprietary information, trade secrets, research and
 12 development, or any other competitively sensitive information.

13 Google further objects to the extent the request seeks information protected by any
 14 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
 15 privilege, immunity, or restriction on discovery.

16 Google declines to produce any documents responsive to this request.

17 **REQUEST NO. 11:**

18 All Documents reflecting or concerning the litigation captioned *In re. NFL Sunday*
 19 *Ticket Antitrust Litigation*, 15-md-02668-PSG (JEMx).

20 **RESPONSE TO REQUEST NO. 11:**

21 Google objects to the Subpoena on the grounds that it was improperly served without leave
 22 of court. Google understands that discovery in this matter was closed on August 5, 2022. Plaintiffs
 23 have not sought leave of Court to serve discovery on Google and YouTube after the discovery cut-
 24 off and as a result service of this Subpoena is improper and has no legal effect.

25 Google objects to this Request as overbroad, unduly burdensome and on the ground that it
 26 requires unreasonable effort and expense by a non-party that is disproportionate to the needs of
 27 the case, in part because this Request purports to require Google to produce “[a]ll Documents” and
 28 “all other Documents” without regard to their import or relevance over a relevant time period.

1 Google also objects to the reliance on the overbroad term “reflecting” and “concerning” as
2 rendering this Request overbroad, unduly burdensome, and disproportionate to the needs of the
3 case.

4 Google objects to this Request on the ground that it seeks information that is not relevant
5 to any party's claims or defenses in the underlying litigation.

6 Google further objects on the grounds that this request covers communications between
7 Google and the NFL or the Clubs and therefore seeks documents or information that is in the
8 possession, custody, or control of a party to the underlying action.

9 Google further objects to this request to the extent it seeks disclosure of confidential
10 financial or commercial information, proprietary information, trade secrets, research and
11 development, or any other competitively sensitive information.

12 Google further objects to the extent the request seeks information protected by any
13 privilege, including the attorney-client privilege, work product doctrine, or any other applicable
14 privilege, immunity, or restriction on discovery.

15 || Google declines to produce any documents responsive to this request.

16 || Dated: April 13, 2023

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Amit O. Gressel
Brad H. Tennis
Amit O. Gressel

Attorneys for Non-Party
GOOGLE LLC

PROOF OF SERVICE

In re: National Football League's Sunday Ticket Antitrust Litigation
E.D. Cal. Case No. 2:15-ml-02668-PSG (JEMx)

I, Regina C. Glynn, declare:

I am employed in San Francisco County, State of California. I am over the age of 18 years and not a party to the within action. My business address is 1 Market Plaza, Spear Tower, Suite 3300, San Francisco, California 94105. My email address is: rglynn@wsgr.com.

On this date, served the following document:

**NON-PARTY GOOGLE LLC'S OBJECTIONS AND RESPONSES TO
 SUBPOENA FOR PRODUCTION OF DOCUMENTS**

By electronic transmission on this date to the below-listed parties:

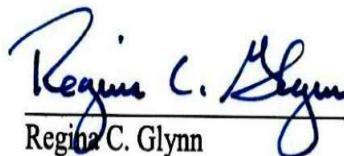
Marc M. Seltzer mseltzer@susmangodfrey.com SUSMAN GODFREY L.L.P. 1900 Avenue of the Stars, Suite 1400 Los Angeles, CA 90067 Tel: (310) 789-3100 Fax: (310) 789-3150	Scott Martin smartin@hausfeld.com HAUSFELD LLP 33 Whitehall Street, 14th Fl. New York, NY 10004 Tel: (646) 357-1100 Fax: (212) 202-4322
William C. Carmody bcarmody@susmangodfrey.com Seth Ard sard@susmangodfrey.com Tyler Finn (<i>Pro Hac Vice</i>) tfinn@susmangodfrey.com SUSMAN GODFREY L.L.P 1301 Avenue of the Americas, 32nd Fl. New York, NY 10019 Tel: (212) 336-8330 Fax: (212) 336-8340	Samuel Maida smaida@hausfeld.com Christopher L. Lebsock clebsock@hausfeld.com HAUSFELD LLP 600 Montgomery St., Ste 3200 San Francisco, CA 94111 Tel: (415) 633-1908 Fax: (415) 633-4980
Ian M. Gore igore@susmangodfrey.com SUSMAN GODFREY L.L.P. 401 Union Street, Suite 3000 Seattle, WA 98101 Tel: (206) 516-3880 Fax: (206) 516-3883	Sathya S. Gosselin sgosselin@hausfeld.com Farhad Mirzadeh fmirzadeh@hausfeld.com HAUSFELD LLP 888 16th Street, N.W., Suite 300 Washington, DC 20006 Tel: (202) 540-7200 Fax: (202) 540-7201

1	Armstead Lewis alewis@susmangodfrey.com SUSMAN GODFREY L.L.P. 1000 Louisiana, Suite 5100 Houston, TX 77002 Tel: (713) 651-9366 Fax: (713) 654-6666	Howard Langer hlanger@langergrogan.com Edward Diver ndiver@langergrogan.com Peter Leckman pleckman@langergrogan.com Kevin Trainer ktrainer@langergrogan.com LANGER GROGAN AND DIVER PC 1717 Arch Street, Suite 4020 Philadelphia, PA 19103 Tel: (215) 320-5660 Fax: (215) 320-5703
---	----------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

7 Attorneys for Plaintiff

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11 Executed at Alameda, California on April 13, 2023.

12
13 
14 _____
15 Regina C. Glynn

16
17
18
19
20
21
22
23
24
25
26
27
28